

CONFERENCE COMMITTEE REPORT DIGEST FOR HB 1235

Citations Affected: 8-6-4-1; noncode.

Synopsis: Regulation of train whistles. Conference committee report for EHB 1235. Regulation of train whistles. Allows a city, town, or county to adopt an ordinance regulating the use of train whistles. Prohibits a city, town, or county from regulating by ordinance the sounding of a whistle or the ringing of a bell at a railroad crossing that does not have an automatic railroad activated warning signal. Requires, rather than allows, the department of transportation to grant permission to a city, town, or county if the department determines that the ordinance will not cause undue risk of harm to the public. (This conference committee report does the following: (1) allows a county to adopt an ordinance regulating the use of a train whistle; and (2) requires the department of transportation to grant permission if the department determines the ordinance will not cause undue risk of harm to the public.)

Effective: Upon passage.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT:

Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill No. 1235 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

- 1 Page 2, line 17, after "city" insert ",".
- 2 Page 2, line 17, strike "or".
- 3 Page 2, line 17, after "town" insert ", **or county**".
- 4 Page 2, line 18, after "city" insert ",".
- 5 Page 2, line 18, after "city" strike "or".
- 6 Page 2, line 19, delete "." and insert ", **or the county**".
- 7 Page 2, line 19, delete "the city or town may not adopt".
- 8 Page 2, line 19, after "ordinance" insert "**may not**".
- 9 Page 2, line 20, delete "prohibiting" and insert "**prohibit**".
- 10 Page 2, line 23, after "city" insert ",".
- 11 Page 2, line 23, strike "or".
- 12 Page 2, line 23, after "town" insert ", **or county**".
- 13 Page 2, line 25, strike "may" and insert "**shall**".
- 14 Page 2, line 28, after "public." insert "**An ordinance approved and**
- 15 **in effect on January 1, 1991, regulating the sounding of a whistle**
- 16 **or the ringing of a bell in a city or town remains approved and in**
- 17 **effect**".

(Reference is to EHB 1235 as printed April 6, 1999.)

Conference Committee Report
on
House Bill 1235

Signed by:

Senator Zakas

Representative Fry

Senator Lewis

Representative Fesko

Senate Conferees

House Conferees